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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 December 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *39,40,44-47,49-62,64-68 and 70-74* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *39,40,44-47,49-62,64-68 and 70-74* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 39-40, 44-47, 49-62, 64-68 and 70-74 Pending.

Claims 1-38, 41-43, 48, 63, and 69 Canceled.

Response to Arguments

2.   Applicant's arguments filed 12/01/2008 have been fully considered but they are

not persuasive.

As per Applicants arguments asserting that Elsey fails to disclose the limitation of

a "temporary current status of the user", Examiner respectfully disagrees. Examiner

notes that the cited passage of Elsey cited by Applicant (Column 4, Lines 10-25) clearly

discloses that the directory/database has at least two access levels/roles (e.g. read only

and administrator) states that the a directory/database owner is able to assign roles to

users. This disclosure, when combined with other portions of Elsey cited in the

rejection, specifically the citations from Column 4 (e.g. Column 4, Lines 28-35, cited

regarding Claim 64 and Column 4, Lines 63-66 cited regarding Claims 66) clearly

indicates that roles exist (Column 4, Lines 10-25), multiple roles may be created

Column 4, Lines 28-35), users may be assigned to roles (Column 4, Lines 28-35), and

the roles of the users may be altered by the administrator (Column 4, Lines 10-25).

Examiner strongly asserts that if an administrator has the capability to change the role

of a user then the role is temporary. In order for a role to be considered non-temporary

(i.e. permanent), a system must disallow the reassignment of a user to a different role or

level of access. As this is not the case in the system of Elsey, and as the above

referenced disclosure of Elsey clearly indicates that user roles may be created,

assigned, and changed by an administrator, the roles of Elsey are considered to be

temporary and the disclosure of Elsey is considered to be anticipatory of the limitation of

"a temporary current status of the user".

As per Applicants arguments regarding the newly introduced Claims 71-74,

Examiner respectfully disagrees. Examiner asserts that the newly introduces limitations

are disclosed in the newly cited art of Thomas ("Team-based access control (TMAC): a

primitive for applying role-based access controls in collaborative environments",

Proceedings of the second ACM workshop on Role-based access control; Pgs. 13 - 19;

1997; ACM). The disclosure of Thomas on Page 18, Column 1, clearly indicates that

roles in a role based access control system are changed in response to events (e.g. the

transfer of a patient), that these role transfer operations may be done on a group or

user based granularity, and that the role transfer operations may be automated to occur

automatically in response to changes in the host information system. Examiner asserts

that this disclosure is sufficient, when taken in combination with the disclosure of Elsey,

to allow the system of Elsey to grant the access and temporary role to a user for the

duration of a live communication/telephone call between the user and a customer.

As per the above arguments the rejection will be updated to reflect amendments

made to the claims and maintained.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 64-68 and 70-72 rejected under 35 U.S.C. 102(e) as being anticipated by

Elsey et al. (US 6,870,921 B1).

As per claim 64 Elsey et al. is directed to a method comprising: managing a

multi-tenant database (column 4, lines 2-4), wherein the multi-tenant database comprises a

partitionable database (column 4, lines 2-3), the partitionable database comprises a

plurality of virtual databases (column 4, lines 2-4, wherein "virtual database" could mean "private

directory"; column 4, lines 9- 16), each of the virtual databases has an owner tenant among

tenants of the multi-tenant database (column 5, lines 21-22), each of the virtual databases

comprises multiple associated groups of data (column 4, lines 9-11), and the managing

comprises: setting access privileges for the groups of data in each of the virtual

databases based at least in part on the owner tenant of the virtual database (column 4,

lines 16-18; column 4, lines 28-35); and for each of multiple requests by a user to one of the

groups of data in one of the virtual databases (column 4, lines 31-32), determining whether

to grant access to the user for the requested data group based at least in part on a

relationship of the user to the owner tenant of the virtual database that comprises the

requested data group (column 2, lines 45-47; column 4, lines 19-20; column 4, lines 28-35); when

the relationship of the user to the owner tenant is determined to be an employee

relationship, granting access to the user for the requested data group (column 4, lines 28-

35); and when the relationship of the user to the owner tenant is not determined to be an

employee relationship, granting temporary access to the user for the requested data

group only when a customer of the owner tenant is determined to have provided access

authorization to the user for that requested data group (column 4, lines 16-24).

As per claim 65 Elsey et al. is directed to each of the groups of data is a file

stored in the multi-tenant database (column 4, lines 2-3).

As per claim 66 Elsey et al. is directed to wherein the method is performed by a

database operator, and the database operator is other than the tenants (column 4, lines 63-

66).

As per claim 67 Elsey et al. is directed to at least some of the requests for groups

of data by users are received for users that are representatives of the database

operator and are based on a contact to the users that is initiated by the tenants that own

the virtual databases associated with the requested groups of data, and wherein the

access authorizations for those users are determined to have been provided by those

owner tenants based on the initiated contact by those tenants (column 4, lines 16-22;

column 4, lines 28-33).

As per claim 68 Elsey et al. is directed to the relationship of a user to an owner

tenant is not determined to be an employee relationship and the owner tenant is

determined to have provided access authorization to the user for a data group in the

virtual database for that tenant, granting access to the user to other data groups in that

virtual databases (column 4, lines 16-24), wherein The granting access is based on that

providing of the access authorization (column 4, lines 16-24).

As per claim 70 Elsey et al. is directed to when the relationship of a user to an

owner tenant is not determined to be an employee relationship and the owner tenant is

determined to have provided access authorization to the user for a data group in the

virtual database for that tenant, the access granted to that user is based on a current

role of the user (column 4, lines 16-23; column 4, lines 30-31, wherein "role" depends on "level of

access").

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 39-40, 44-47, and 49-62 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Elsey et al. (US 6,870,921 B1).

        As per claim 39 Elsey et al. is directed a database system comprising: a

partitionable database (column 2, lines 16-17), wherein the partitionable database is

partitioned into a plurality of virtual databases (column 4, lines 2-3, wherein "virtual database"

could mean "private directory"), and each virtual database of the plurality of virtual databases

corresponds to a tenant of the partitionable database in such a manner that a

partitioned virtual database for a tenant comprises stored files associated with the

tenant (column 4, lines 9-16); and an access control subsystem (column 4, lines 16-22),

wherein the access control subsystem is coupled to the virtual databases (column 4, lines

16- 22), and the access control subsystem is configured to provide access to files in a

virtual database of the plurality of virtual databases to a user only when the user has

access authorization to the virtual database from a tenant corresponding to the virtual

database (column 4, lines 16-22), wherein the access authorization is based at least in part

on a temporary current status of the user (Column 4, Lines 10-25).

Elsey et al. does not explicitly teach each virtual database of the virtual databases of the partitionable database of the database system comprises a plurality of files.

Elsey et al. teaches that each private directory contains information tailored to the needs of an individual or corporation (column 4, lines 9-11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made interpret Elsey et al. to having support for private directories containing plurality of distinct information because it is well known in the art that directories hold files of distinct information.

As per claim 40 Elsey et al. as modified is directed to the virtual databases are disjoint from one another (column 4, lines 9-16, wherein the information stored may contain different elements).

As per claim 44 Elsey et al. as modified is directed to the access control subsystem is configured to provide access authorization to the user for particular file in the virtual database based on initiation of a database call through an associated computer telephony integration (CTI) system by a customer of the tenant who owns the virtual database of the virtual databases comprising the particular file (column 5, lines 20-22).

As per claim 45 Elsey et al. as modified is directed to an operator of the

partitionable database provides common call center service to customers of tenants of

the partitionable database on behalf of the tenants (column 10, lines 20-26).

As per claim 46 Elsey et al. as modified is directed to a method comprising:

managing a database system (column 4, lines 2-3), comprising: granting access

authorization to a user for one virtual database of a virtual databases by an owner of the

one virtual database (column 4, lines 2-3, wherein "virtual database" could mean "private directory";

column 4, lines 9-16), wherein the access authorization is based at least in part on a

temporary current role of the user (Column 4, Lines 10-25), the database system comprises

a partitionable database (column 4, lines 2-3), the partitionable database comprises the

plurality of virtual databases (column 4-lines 2-3), and each of the virtual databases has a

unique database owner (column 5, lines 21-22); and providing to the user access to a file of

the files in the one virtual database after the user has been granted the access

authorization (column 4, lines 16- 22).

Elsey et al. does not explicitly teach each virtual database of the virtual

databases of the partitionable database of the database system comprises a plurality of

files.

Elsey et al. teaches that each private directory contains information tailored to

the needs of an individual or corporation.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made interpret Elsey et al. to having support for private directories

containing plurality of distinct information because it is well known in the art that

directories hold files of distinct information.

As per claim 47 Elsey et al. as modified directed to wherein the virtual databases

are disjoint virtual databases (column 4, lines 9-16, wherein the information stored may contain

different elements).

As per claim 49 Elsey et al. as modified directed to the user needs authorization

from an owner of a file within the one virtual database to access that file, the method

comprising providing access to the file to the user after the owner of the file grants

authorization (column 4, lines 11-16; column 4, lines 19-24; column 4, lines 30-33).

As per claim 50 Elsey et al. as modified directed to before the providing of the

access to the file, receiving access authorization to the file for the user from the owner

of the file (column 4, lines 16-22; column 4, lines 30-33).

As per claim 51 Elsey et al. as modified directed to the receiving of the access

authorization to the file comprises initiation by a customer of the owner of the file of a

database call to the user through an associated computer telephony integration (CTI)

system (column 4, lines 38-59).

As per claim 52 Elsey et al. as modified is directed to wherein the database is a multi-tenant database having a plurality of tenants, each tenant of the tenants being an owner of a separate virtual database, at least two of the tenants utilizing a common call center service (column 4, lines 2-3; column 4, lines 9-12; column 4, lines 26-28; column 4, lines 38-51).

As per claim 53 Elsey et al. as modified is directed to wherein the partitionable database stores a plurality of files that are each associated with one of a plurality of unique database owners such that the virtual databases each comprises the stored files associated with the owner of the virtual database (column 4, lines 2-3; column 4, lines 9-16).

As per claim 54 Elsey et al. as modified is directed to the partitionable database is operated by a database operator on behalf of the owners of the virtual databases as tenants of the partitionable database (column 2, lines 20-25; column 4, lines 46-47, wherein the subscriber needs a service that is operated by an operator).

As per claim 55 Elsey et al. as modified is directed to each of the tenants lease capacity of the partitionable database from the database operator (column 4, lines 36- 38, wherein the subscriber or tenant needs a service that is operated by an operator).

As per claim 56 Elsey et al. as modified is directed to wherein the granting the access authorization to the user for the one virtual database is initiated by a telephone call from a customer of an the owner of the one virtual database through a computer telephony integration (CTI) system (column 4, lines 38-44).

As per claim 57 Elsey et al. as modified is directed to wherein the user is a representative of an organization providing a service to the owner of the one virtual database (column 4, lines 30-33).

As per claim 58 Elsey et al. as modified is directed to providing access to the user to files in other virtual databases after the user is granted authorization from the owners of the other virtual databases (column 4, lines 16-20; column 6, lines 3-4).

As per claim 59 Elsey et al. as modified is directed to wherein the access provided to the user is temporary access limited to a duration of the telephone call (column 5, line 32; column 5, line 56; wherein the "duration" is the time between log in and log out).

As per claim 60 Elsey et al. as modified is directed to wherein the telephone call is made regarding the file, the method comprising automatically providing access to the user to other files in the one virtual database based on the telephone call (column 10, lines 20-25; column 10, lines 35-37).

As per claim 61 Elsey et al. as modified is directed to the computer telephony integration (CTI) system is part of a call center service common to the owners of the virtual databases (column 4, lines 38-44; column 10, lines 20-26).

As per claim 62 Elsey et al. as modified is directed to wherein the providing the access is based at least in part on the user receiving the telephone call via the CTI system (column 4, lines 38-44).

7.   Claims 71-74 rejected under 35 U.S.C. 103(a) as being unpatentable over Elsey in view of Thomas.

As per Claim 71, Elsey fails to disclose the temporary access granted to the user is limited to a duration of a live communication between the user and the customer of the owner tenant.

Thomas discloses the temporary access granted to the user is limited to a duration of a live communication between the user and the customer of the owner tenant (Page 18, Column 1, wherein the permissions may be deactivated at the end of a workflow instance.).

It would have been obvious to one skilled in the art at the time of Applicants invention to modify the teachings of Elsey with the teachings of Thomas to include the temporary access granted to the user is limited to a duration of a live communication between the user and the customer of the owner tenant with the motivation to distinguish the passive concept of permission assignment from the active concept of context-based permission activation (Thomas, Abstract).

As per Claim 72, Elsey fails to disclose the temporary access granted to the user is limited to a duration of a telephone call between the user and the customer of the owner tenant .

Thomas discloses the temporary access granted to the user is limited to a duration of a telephone call between the user and the customer of the owner tenant (Page 18, Column 1, wherein the permissions may be deactivated at the end of a workflow instance.).

It would have been obvious to one skilled in the art at the time of Applicants invention to modify the teachings of Elsey with the teachings of Thomas to include the temporary access granted to the user is limited to a duration of a telephone call between the user and the customer of the owner tenant with the motivation to distinguish the passive concept of permission assignment from the active concept of context-based permission activation (Thomas, Abstract).

As per Claim 73, Elsey fails to disclose the access authorization and the temporary current status of the user are limited to a duration of a live communication between the user and a customer of the tenant corresponding to the virtual database.

Thomas discloses the access authorization and the temporary current status of the user are limited to a duration of a live communication between the user and a customer of the tenant corresponding to the virtual database (Page 18, Column 1, wherein the permissions may be deactivated at the end of a workflow instance. Examiner notes that the permissions denote a current status/role).

It would have been obvious to one skilled in the art at the time of Applicants

invention to modify the teachings of Elsey with the teachings of Thomas to include the

access authorization and the temporary current status of the user are limited to a

duration of a live communication between the user and a customer of the tenant

corresponding to the virtual database with the motivation to distinguish the passive

concept of permission assignment from the active concept of context-based permission

activation (Thomas, Abstract).

As per Claim 74, Elsey fails to disclose the user access and the temporary

current role of the user are limited to a duration of a live communication between the

user and a customer of the owner of the one virtual database.

Thomas discloses the user access and the temporary current role of the user are

limited to a duration of a live communication between the user and a customer of the

owner of the one virtual database (Page 18, Column 1, wherein the permissions may be

deactivated at the end of a workflow instance. Examiner notes that the permissions denote a current

status/role).

It would have been obvious to one skilled in the art at the time of Applicants

invention to modify the teachings of Elsey with the teachings of Thomas to include the

user access and the temporary current role of the user are limited to a duration of a live

communication between the user and a customer of the owner of the one virtual

database with the motivation to distinguish the passive concept of permission

assignment from the active concept of context-based permission activation (Thomas, Abstract).

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Hicks whose telephone number is (571) 272-2670. The examiner can normally be reached on Monday - Friday 9:00a - 5:30p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Christian Chace can be reached on (571) 272-4190. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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